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GAVIN NEWSOM
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Dated: 05/08/2019

Juanita Bacey
California Environment Protection Agency
Department of Toxic Substance Control
700 Heinz Avenue, Building F, Suite 200
Berkeley, CA, 94710-2721

Subject: Comments on RTCs for Draft Remedial Action Work Plan, Parcel E — Remedial Action Phase — 1

Dear Ms. Bacey,

Radiological Health Branch - California Department of Public Health wants to submit our comments on the responses for the review of Draft Remedial Action Work Plan, Parcel E, Remedial Action Phase-1. Please see the comments below in blue text.

General Comment # 3:

"Please let us understand how the same parcel E released under "restricted release" could be again up in Phase 4 for an "unrestricted release" for the whole site."

Response:

"Since the components of the remedial actions included in this RAWP are not to seek radiological release, unrestricted release will not be requested as part of this RAWP."

CDPH Comment to response:

RTC (response to comment) does not clarify whether an unrestricted release will be requested in Phase 4 or not. We understand that with this Phase 1 RAWP, unrestricted release is not requested, however, per our discussion, we have been informed that an unrestricted release will be requested for the "whole Parcel E" in Phase 4. Please help us understand the intended land use after all the phases are completed - Restricted or Unrestricted for Parcel E.

Specific Comment # 1:

"For Reference background site, 20 soil samples have been taken. The soil sample results from testing lab has not been provided."

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Response:

"The reference background site was sampled and the data analyzed by TIEC in 2010. This same background reference data set (summarized on RAWP Table 6-1) has been used for years at HPNS and been accepted previously in numerous HPNS RAWPs."

CDPH Comment to response:

It is our understanding that CDPH has not approved or concurred with any technical document after the legal challenges to Tetra Tech data last year. It is our understanding that any approval based on Tetra Tech data, once it has been challenged and proven falsified, should not be used for any future approval of the technical documents. CDPH will not support any efforts justifying approval based on controversial Tetra Tech data.

Specific Comment # 2:

"Cs-137 is present in the background with a high standard deviation as compared to the average. That means there is a lot of variability in the background samples for Cs-137. Therefore, a Sign test is not appropriate. Instead a Wilcoxon Rank Sum Test for Cs-137 is recommended."

Response:

"As the Cs-137 background values are utilized in the conservative evaluation of the off-site laboratory results against the Table 2-4 RG values, and no other statistical analyses were performed following receipt of the off-site analytical results (as each sample data set is individually compared to the Table 2-4 RGs in a point by point evaluation), the Navy requests maintaining the use of the Sign test for the calculation of the number of samples required from within each soil data set (based on the volume of soil screened)."

"This position is established in Section 6.5.2.3 which states: "For the ROCs other than 226Ra, only gross sample result values are evaluated and, therefore, the background reference area data are not used. Instead, the ROC levels are compared directly with the wide-area derived concentration guideline level (DCGLW). The general approach closely parallels that used for the situation when the ROC is present in background and the net results are evaluated (Section 6.5.2.3)"

CDPH Comment to response:

To follow MARSSIM guidelines a statistical test is required. Argument to support Sign test is contrary to the MARSSIM and therefore, not justified.

Specific Comment # 3:

"For Sr-90 only two samples were evaluated in the referenced background site. A standard deviation based on only two samples is not right. There should be equivalent no. of samples (as compared to Ra-226 and Cs-137) for Sr-90 from referenced background site."

Response:

"The reference background site was sampled and the data analyzed by TIEC in 2010. This same background reference data set (summarized on RAWP Table 6-1) has been used for years at HPNS and been accepted previously in numerous HPNS RAWPs. Further, it is not the intent of this RAWP to adjust background data or ROC RGs."

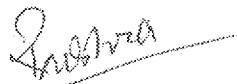
CDPH Comment to response:

Sr-90 has been identified as one of the ROC along with Ra-226 and Cs-137. Analyzing only two samples from the referenced background site for Sr-90 cannot be supported and approved to justify RGs for Sr-90.

It is our understanding that CDPH has not approved or concurred with any technical document after the legal challenges to Tetra Tech data last year. Further we believe that any approval based on Tetra Tech data, once it has been challenged and proven falsified, should not be used for any future approval of the technical documents. CDPH will not support any efforts justifying approval based on controversial Tetra Tech data.

If you have any questions please contact me at (916) 440-7902.

Sincerely



Rajiv Mishra Ph. D.
Chief, Radiological Assessment Unit
Radiologic Health Branch